

# RECORD OF PROCEEDINGS

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## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE FALCON HIGHLANDS METROPOLITAN DISTRICT HELD JUNE 8, 2013

A special meeting of the Board of Directors of Falcon Highlands Metropolitan District was held on Saturday, June 8, 2013 at the Water Treatment Plant, 7464 Antelope Meadows Circle, Peyton, CO 80831 at 10:00 a.m. The meeting was open to the public.

**Attendance** Directors in attendance were:

Mark Albright  
Timothy Ladd  
Heather Knuffke  
Chris Barnett

Absent and excused was Director Smith.

Others in attendance:

David Peak; CliftonLarsonAllen LLP  
Carrie Bartow; CliftonLarsonAllen LLP  
Barbara Vander Wall Esq.; Seter & Vander Wall, P.C.  
Parker Mattingly; Multiband Renewables / Fowler Wind Energy  
Dave Hazel; Multiband Renewables / Fowler Wind Energy  
Ronn Sperry; Multiband Renewables / Fowler Wind Energy  
Kathy Fay; Multiband Renewables / Fowler Wind Energy

**Call to Order /  
Verify Quorum**

Director Albright called the meeting to order and confirmed a quorum.

**Approval of  
Agenda**

Following review, upon a motion duly made by Director Albright, seconded by Director Ladd and, upon vote, unanimously carried, the Board approved the agenda as amended, and excused the absence of Director Smith.

**Community  
Comment**

- A. Review and Consider Approval of Road and Transmission Line Easement Agreement

The representatives from Multiband Renewables / Fowler Wind Energy introduced themselves. Ms. Fay made a brief presentation and asked the Board to review and approve the easement for installation of a power line across District property to transmit electricity produced by Fowler's wind farm. She reported

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that there would be three to four utility poles on the property, approximately 800 feet apart, and 80 feet high. The easement is non exclusive with a 60 year term. The proposed easement consists of approximately 3 ½ acres; 2,079 feet long and 75 feet wide.

Ms. Vander Wall advised the Board that the parcels were conveyed to the District several years ago, but the purpose of the parcels or their proposed development is unknown. The Board requested that additional research be performed on the parcels prior to taking any action.

### Administrative Matters

- A. Consider Approval of May 6, 2013 Special Board Meeting Minutes

Following review and discussion, upon a motion duly made by Director Albright, seconded by Director Ladd, upon vote, unanimously carried, the Board approved the May 6, 2013 special board meeting minutes as amended.

### Manager Items

- A. Manager's Update / Report

Mr. Peak reviewed his manager's report to the Board.

- B. Water Plant Operations Update / Report

Mr. Peak reported on the water plant operations to the Board.

- C. Water Meter Reading / Update

Mr. Peak briefed the Board on the water meter reading.

- D. Meeting with Challenger

Mr. Peak reported that there would be a joint meeting with Challenger Homes and PJ Anderson on June 25<sup>th</sup> at 1:00 p.m. No official Board action would occur at this meeting. The purpose of this meeting is to discuss matters of importance to the District, home builder and developer of the commercial property.

- E. Pay Increase / Steve Dodd

Following discussion, upon a motion duly made by Director Albright, seconded by Director Knuffke and, upon vote, unanimously carried, the Board approved a 3% merit increase for Steve Dodd to become effective July 1, 2013.

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## Legal Matters

### A. Legal Report

Ms. Vander Wall reviewed the legal report with the Board. She reported on the completion of the easement documents related to the Laramie-Fox Hills Well No. 2. She advised of a demand letter sent regarding the dumping of landscaping and related debris on District open space property. If the property owners do not remove the waste and restore the District's property, the District will arrange for the cleanup and seek reimbursement for its costs.

## Financial Matters

### A. Ratify Approval of Claims Totaling \$60,826.42, Represented by Check Numbers 1701 through 1716

Following review and discussion, upon a motion duly made by Director Albright, seconded by Director Ladd and, upon vote, unanimously carried, the Board ratified approval of claims totaling \$60,826.42, represented by check numbers 1701 through 1716.

### B. Review and Consider Approval of Current Claims

Mr. Peak presented the current claims to the Board. Following review and discussion, upon a motion duly made by Director Albright, seconded by Director Ladd and, upon vote, unanimously carried, the Board approved the claims totaling \$17,025.36, represented by check numbers 1717 through 1731.

### C. Review and Consider Approval of Unaudited Financial Statements as of April 30, 2013

Ms. Bartow reviewed the unaudited financial statements as of April 30, 2013 with the Board. The Board accepted the financial statements as presented.

## Director Items

### A. Possible Locations for Monument Signs

This item was tabled.

### B. District Newsletter

The Board requested Mr. Peak to prepare a draft newsletter for their review and comment.

### C. Repairs to Road Intersection

The Board asked Mr. Peak to have the District's engineer evaluate the intersection at Seely Circle and Nulato Circle, and have the contractor make road repairs.

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**Other  
Business**

A. Set Next Board Meeting – Monday, July 8, 2013 at 6:00 p.m.

The Board confirmed the next meeting date.

**Adjournment** There being no other business to come before the Board, upon a motion duly made by Director Ladd, seconded by Director Knuffke and, upon vote, unanimously carried, the Board adjourned the meeting at 11:58 a.m.

Respectfully submitted,

By: David Penk  
Secretary for the Meeting